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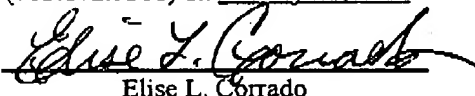
JAN 21 2004

Applicant: David H. Sitrick
For: SYSTEM AND METHODOLOGY
FOR MUSICAL
COMMUNICATION AND
DISPLAY
Serial Number: 09/492,218
Filed: January 27, 2000
Examiner: M. Fletcher
Art Unit: 2837
Attorney Docket: STD 1757

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Elise L. Corrado

(42 pages transmitted)

AMENDMENT D

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby submits this Amendment D for the Final Office Action—Date Mailed: October 21, 2003, Paper No. 22, for which a response is due January 21, 2004 by a shortened statutory period for reply set to expire three months from the mailing date of the Office Action.

Claims 1-113 are currently pending in the application. Claims 41-51 are allowed. Claims 1-40, 53-76, 79-96 and 99-113 are rejected. Claims 52, 77, 78, 97 and 98 are objected to. Claims 1-6, 23-32, 37-44, 51-58, 60, 61, 66-71, 73, 74, 77, 78, 81, 82, 86-88, 91, 92, 94, 95, 97 and 107-110 are hereby amended. Claims 114 and 115 are hereby added.

Applicant has filed concurrently herewith a Declaration under 37 CFR 1.131 and has sworn back of the Lemelson et al. (5,823,788) reference. The final rejection of Claims 1-40, 53-76, 79-96 and 99-113 under 35 U.S.C. 103(a) based upon Lemelson et al. (US 5,823,788) is hereby traversed and overcome in accordance with 37 CFR 1.131.

No new matter has been added. This response is accompanied by the appropriate fee transmittal authorizing the Commissioner to charge any additional fees and credit any overpayments during the pendency of this application to Sitrick & Sitrick's Deposit Account Number: 501166. Reconsideration is respectfully requested.